

To: Rauchway, Jon[Jon.Rauchway@dgsllaw.com]
From: Lensink, Andy
Sent: Thur 1/14/2016 11:07:07 PM
Subject: RE: MT Judicial Substitution Statute

Thank you, Jon.

From: Rauchway, Jon [mailto:Jon.Rauchway@dgsllaw.com]
Sent: Tuesday, January 12, 2016 4:17 PM
To: Lensink, Andy <Lensink.Andy@epa.gov>
Subject: MT Judicial Substitution Statute

Here it is: <http://leg.mt.gov/bills/mca/3/1/3-1-804.htm>

The subsection implicated here was § 3-1-804(12), MCA, which states:

When a judgment or order is reversed or modified on appeal and the cause is remanded to the district court for a new trial, or when a summary judgment or judgment of dismissal is reversed and the cause remanded, each adverse party is entitled to one motion for substitution of district judge. The motion must be filed, with the required filing fee, within 20 calendar days after the remittitur from the supreme court has been filed with the district court. There is no other right of substitution in cases remanded by the supreme court.

Jon

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